Board of Health
Radiation Control Regulations Subcommittee Meeting
Tuesday, March 24, 2015

I. Introduction

On Tuesday afternoon, March 24, 2015, an ad hoc Subcommittee of the Arkansas State Board of Health met via telephone to review Radiation Control's PROPOSED Revisions to the Arkansas Department of Health's Rules and Regulations for Control of Sources of Ionizing Radiation.

The members of this Subcommittee present are:

Anthony N. Hui, MD, FCAP

The meeting facilitator was General Counsel, Rick Hogan.

Department personnel present were:

Elizabeth Pitman
Leslie Lovett
Bernie Bevill
Angela Minden

II. Review of Radiation Control's PROPOSED Regulation Packet

A. OVERVIEW

Mr. Bevill pointed out that the State of Arkansas is a U.S. Nuclear Regulatory Commission (NRC) Agreement State. Currently, there are 37 Agreement States. Each Agreement State is expected to have regulations that are compatible with the NRC regulations.

In order to address NRC regulation compatibility, the Department has PROPOSED regulations addressing three (3) separate NRC regulation amendment areas. These are:

(1) Physical Protection of Byproduct Material;

(2) Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions; and
(3) Safeguards Information – Modified Handling Categorization, Change for Materials Facilities

B. PHYSICAL PROTECTION OF BYPRODUCT MATERIAL

Mr. Bevill indicated that the Department is revising its regulations pertaining to source security, adopting regulations that reflect the NRC's NEW Part 37. In this revision, we are creating a NEW Section 12 to specifically address radioactive source security matters.

Some of the things this source security process involves are:

(1) Physical source security measures;
(2) Internal processes taken to determine individuals with unescorted access to the radioactive sources/devices are deemed Trustworthy and Reliable; and
(3) Coordination with Local Law Enforcement Agencies to respond to potential security threats.

Dr. Hui had questions concerning if these types of sources were mostly industrial.

Mr. Bevill explained that the State of Arkansas has ~20 licensees that have Increased Control (IC) sealed sources. Over 50% of these IC licensees are based outside the State of Arkansas. Most of the IC licensees are industrial radiographers.

Dr. Hui had a question as to how many of these may be medical licensees.

Mr. Bevill indicated that there are two (2) IC licensees that have blood irradiators used in hospitals. There are also a couple of

licensees that have Broad Scope Licenses that may use radioactive material for research purposes.

Dr. Hui had a question as to how licensees go about applying for the use of these large sources.

Mr. Bevill stated that entities would apply for a radioactive material license and the security related areas would be addressed during the licensing process.

C. DISTRIBUTION OF SOURCE MATERIAL TO EXEMPT PERSONS AND TO GENERAL LICENSEES AND REVISION OF GENERAL LICENSE AND EXEMPTIONS

Mr. Bevill stated that these regulations will pertain primarily to manufacturers and/or distributors of General Licensed and Exempt radioactive sources used by members of the general public. At this time, the Department does not have source manufacturers and/or source distributors. However, as a matter of compatibility, the Department is required to adopt these regulations. Mr. Bevill offered gun sites with thorium coated lenses as an example of a consumer product that may contain exempt radioactive material.

D. SAFEGUARDS INFORMATION – MODIFIED HANDLING CATEGORIZATION, CHANGE FOR MATERIALS FACILITIES

Mr. Bevill explained that these particular regulations relate to the proposed regulations discussed earlier pertaining to NRC's Part 37. At the time the NRC initially addressed source security, the NRC issued a series of Security Orders for many of its LARGE activity licensees who possess large quantities of radioactive material. In Arkansas, there is one (1) licensee that falls into this category. With the adoption of these proposed regulations, the NRC Security Orders will be lifted and at that

time, ALL of the licensee's security oversight will fall to the Department.

III. Subcommittee's Recommendations

The Subcommittee recommended that the Radiation Control's Proposed Regulations be accepted and that the Department should proceed with the Administrative Procedures Act process for adoption.

IV. Adjournment

The Subcommittee adjourned after a comprehensive review and inquiries where a recommendation of adoption was agreed upon.

There was no further business to report and the meeting was adjourned.

Respectfully submitted,

Anthony Hui, M.D.
Chairman